

REMARKS

Reconsideration of the above-identified application is respectfully requested.

In the last Official Action the Examiner indicated that claims 36, 38, 39,. 42 and 43 are allowed and that claims 3, 6-8, 10, 11, 14, 17-19, 21, 22, 29-31, 33 and 34 were objected to but would be allowable if rewritten to include all of the limitations of a prior claim. These indications are acknowledged with appreciation.

New claims 44-65 have been added to incorporate the allowed subject matter in the claims which were objected to.

For the convenience of the Examiner, claim 44 equals claim 3 which was indicated to be allowable, claim 45 adds to the allowable claim 44 the subject matter of claim 4, 46 adds the subject matter of claim 7, 47 adds the subject matter of claim 8, and 48 adds the subject matter of claim 9. Claim 49 is claim 10 rewritten to include the limitations and, claims 50 is claim 11 which is indicated to be allowable. Claim 51 equals allowable claim 13, claims 52-59 adds the subject matter, respectively of claims 15-22. Claim 60 is allowable claim 28 rewritten, and claims 61-65 add to the allowable subject matter of claim 28 the subject matter in claims 29-34. In addition, claims 1, 23, 26, 37 and 40 have been amended in a sincere effort to overcome the prior art rejections of record.

The Examiner rejected claims, 1, 2, 4, 5, 12, 13, 15, 16, 23-28, 35, 37, 40, and 41 under 35 U.S.C. § 103(a) as being unpatentable over Colens (5,869,910) in combination with Terzian et al. (3,648,408). As amended, this rejection is respectfully traversed.

Colens, the basic reference, discloses a power supply system for a self contained mobile robot which includes a charging device and a computer which analyzes the level of charge of a rechargeable battery. When the battery needs to be recharged an analog algorithm takes control

of the movement of the device in order to approach the emitting source which is also the energy supplying source. There is no teaching or suggesting in Colens of having a body part of the robotic device move from a first position to a second position to indicate that charging has been completed. The Colens device merely moves toward the charging device. Nothing in Colens teaches or suggests using any part of the robotic device to indicate a level of charge. The device merely moves closer to the power supply source to accept a charge. To rectify this deficiency, the Examiner cited Terzian et al. who discloses a robotic device with a predetermined movement of at least one selected body part of the robot. Nothing in Terzian et al. teaches or suggests using movement of the body part to indicate that a recharge of the battery has been accomplished. Thus both references fail to teach or suggest utilizing movement of a body part from a first position to a second position to indicate acceptance of a recharge of the battery. Absent a teaching or suggestion in either of the references, it is maintained that neither of the reference teach or suggest that which is now positively set forth in the claims at issue.

On page 4 of the Official Action, the Examiner continues with rejections of claims 26 and 35, 27 and 37, 40 and 41 and mentions a reference of Fujita. It is noted that no citation to this reference has been made and applicant is unable to respond to this particular rejection absent a copy of the reference or the reference number.

The Examiner also rejected claims 9, 20, and 32 under 35 U.S.C. §103(a) as being unpatentable over Colens and Terzian et al. in combination Takenaka et al. (6,064,167). As noted above, neither of the basic references of Colens and Terzian et al. teach or suggest utilizing a body part which moves from a first position to a second position to indicate recharge of a battery and accordingly this rejection cannot be maintained as Takenaka et al. fails to supply this teaching as well.

Accordingly in view of the above amendments and remarks, favorable reconsideration and allowance of the application is respectfully requested.

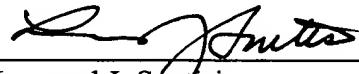
Our check in the amount of \$1,420.00 is enclosed in payment of the extra claims and one month extension of time to respond to this Official Action.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:

  
Leonard J. Santisi  
Reg. No. 24,135  
(212) 588-0800